

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs/Counterclaim
Defendants,

v.

E.I. DU PONT DE NEMOURS AND CO. and
PIONEER HI-BRED INTERNATIONAL, INC.,

Defendants/Counterclaim
Plaintiffs.

Case No. 09-cv-0686 (ERW)

**MOTION FOR EXPEDITED TELEPHONE HEARING ON
DUPONT'S SECOND MOTION TO COMPEL**

Pursuant to Local Rule 4.02(B) and the Court's Memorandum and Order dated December 7, 2010 (Dkt. 475), Defendants E.I. du Pont de Nemours and Company and Pioneer Hi-Bred International, Inc. (collectively "DuPont") respectfully request that the Court conduct a telephone hearing with regard to DuPont's Second Motion to Compel (Dkt. 493) on Thursday, January 13, 2011 or Friday, January 14, 2011, as the Court's schedule permits. Monsanto filed its memorandum in opposition to DuPont's Second Motion to Compel on January 4, 2011. DuPont's reply brief is currently due on January 17, 2011 (Dkt. 500), but DuPont intends to file its reply before noon on Wednesday, January 12, 2011. In support of this motion, DuPont states that an expedited hearing on DuPont's Second Motion to Compel is necessary because the discovery deadline in this case is less than one month away, and DuPont is entitled to the categories of documents sought in its Second Motion to Compel before the completion of discovery. Moreover, in the Court's Order dated December 7, 2010, the Court stated that it would "consider motions to compel from Defendants on an expedited basis with respect to any

lingering deficiencies, and with respect to specific, identifiable documents within the overbroad categories of documents requested here.” (Dkt. 475 at 9).

Dated: January 11, 2011

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2011, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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